

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

Fernando White,

Plaintiff,

v.

Civil Action No. 3:19-cv-00019

Merrick Bank,

Defendant.

COMPLAINT

Plaintiff Fernando White (“White” or “Plaintiff”) files this complaint against Defendant Merrick Bank (“Defendant”), and, in support thereof, states as follows:

INTRODUCTION

1. This is an action for actual damages, statutory damages, and attorney fees and costs for violation of the Fair Credit Billing Act (part of the Truth in Lending Act) (FCBA), 15 U.S.C. §§ 1666 et seq. and Regulation Z thereunder.
2. As enacted in 1974, the purpose of the FCBA is to protect consumers from “unfair and inaccurate credit billing and credit card practices.” (1974 U.S. code Cong. And Adm. News, pp. 6119, 6152). The FCBA applies to open-end credit transactions, mainly credit cards. Among the specifically enumerated examples of billing errors subject to FCBA protection is unauthorized charges. 15 U.S.C. § 1666(b)(1) (“A reflection on a statement

INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Not for submission under 37 CFR 1.99)</i>	Application Number		10664473
	Filing Date		2003-09-17
	First Named Inventor		Garibay et al.
	Art Unit		3621
	Examiner Name		
	Attorney Docket Number		BEAS-01454US7

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/C.A./	1	5553142		1996-09-03	Ross et al.	

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/C.A./	1	20020169725	A1	2002-11-14	Eng	
	2	20030083998	A1	2003-05-01	Ramachandran et al.	
	3	20040015940	A1	2004-01-22	Heisey et al.	
↓	4	20040034603	A1	2004-02-19	Hastings et al.	
/C.A./	5	20040039916	A1	2004-02-26	Aldis et al.	

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	Examiner Name		Charles C. Agwumezie
	Attorney Docket Number		BEAS-01454US7

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/C.A./	1	6009401		1999-12-28	Horstmann	

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/C.A./	2	20040039916	A1	2004-02-26	Aldis et al.	
/C.A./	3	20040158709	A1	2004-08-12	Narin et al.	

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/C.A./	1	6816842		2004-11-09	Singh et al.	
/C.A./	2	5671412		1997-09-23	Christiano	
/C.A./	3	5960189		1999-09-28	Stupek et al.	

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/C.A./	1	6360254		2002-03-19	Linden et al.	
/C.A./	2	6006332		1999-12-21	Rabne et al.	

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/C.A./	2	20020094083		2002-07-18	Bhattacharya et al.	

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		Filing/Issue Date Herewith	Group Art Unit To be assigned		

U.S. PATENTS

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/C.A./		5,438,508	08/01/95	Wyman	364	401	09/12/94
		5,553,143	09/03/96	Ross et al.	380	25	02/04/94
		6,343,280	01/29/03	Clark	705	55	12/15/98
		6,189,146	02/13/01	Misra et al.	717	11	03/18/03
		6,502,102	12/31/02	Haswell et al.	707	102	03/27/00
		6,023,766	02/08/00	Yamamura	713	201	07/14/97
↓		6,389,402	05/14/02	Ginter et al.	705	51	06/09/99
/C.A./		6,427,140	07/30/02	Ginter et al.	705	80	09/03/99

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